

IN THE UNITED STATES DISTRICT COURT

FILED
BILLINGS DIV.

FOR THE DISTRICT OF MONTANA 2010 JUL 7 AM 10 14

BILLINGS DIVISION

PATRICK E. CAMPBELL, JUDGE

BY

DEPUTY CLERK

PATRICK CAMPBELL,

)

CV-10-23-BLG-RFC-CSO

)

Plaintiff,

)

)

vs.

)

)

**ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS OF
U.S. MAGISTRATE JUDGE**

PPL MONTANA, LLC, a

)

Delaware limited liability company,))

ABC CORPORATIONS, and

)

JOHN DOES 1-10,

)

)

Defendants.

)

)

United States Magistrate Judge Carolyn Ostby has entered Findings and Recommendations (*Doc. 30*) with respect to Campbell's Motion for Remand (*Doc. 18*). Magistrate Judge Ostby recommends this Court deny the motion because (1) PPL did not waive its right to removal by moving to substitute the state court judge first assigned to the case and (2) the removal was not procedurally defective.

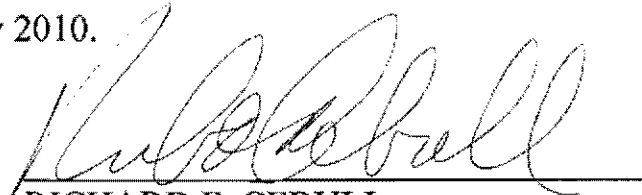
Upon service of a magistrate judge's findings and recommendation, a party has 14 days to file written objections. 28 U.S.C. § 636(b)(1). Here, no party filed objections to the June 8, 2010 Findings and Recommendation. This failure to

object waives all objections to the findings of fact, *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999), but does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After reviewing the record and the applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

IT IS HEREBY ORDERED that Campbell's Motion for Remand (*Doc.* 10) is **DENIED**.

DATED the 7th day of July 2010.



RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE